REMARKS

Claims 1, 3-6, 16 and 18 are pending in this application. By this Amendment claims 1, 3-6, 16 and 18 are amended and claims 2, 7-15 and 17 are canceled.

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) do not raise any new issue requiring further search and/or consideration; (b) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (c) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

Applicants thank the Examiner for withdrawing the rejection of claims 7-13 and 18 under 35 U.S.C. §112, second paragraph.

In the Office Action, the Examiner requests cancellation of non-elected claims 14-17. However, claim 16 depends from claim 1, and therefore requires all the limitations thereof. If claim 1 is found allowable, then dependent claim 16 should be rejoined under the allowed claim (see MPEP §821.04). Claims 14, 15 and 17 are canceled.

Claims 1-13 and 18 stand rejected under 35 U.S.C. §102(a) as being unpatentable over Takamasa et al. (JP-A-2001-328451). The rejection is respectfully traversed.

With respect to independent claim 1, which has been amended to incorporate the limitations of dependent claim 2, Takamasa does not teach a curve radius estimator comprising: a base value estimation part that estimates the curve's radius as a base value on the basis of the actual vehicle speed and actual yaw rate but not of the steering angle; and an estimation part that determines an amount of correction for the base value on the basis of physical quantity regarding the steering angle, and estimates the curve's radius by correcting the base value with the amount of correction.

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The Examiner asserts that Takamasa teaches all of the features recited in claim 2 in paragraphs [0004], [0009], [0023] to [0029] and in particular in paragraphs [0051] and [0062]. Applicants disagree.

Takamasa teaches computing a first curve radius R1 based on yaw rate omega obtained from the steering angle theta acquired from steering sensor 24, or the yaw rate sensor 26 (paragraph 50). Quite simply, Takamasa teaches computing a first curve radius R1 on the basis of vehicle speed and steering angle or yaw rate (Abstract). If an object is in the path of the vehicle, then Takamasa teaches determining a second curve radius R2 computed from the object and computing a third curve radius R3 that is computed by averaging the first curve radius R1 and the second curve radius R2.

Therefore, nothing in Takamasa, and in particular in the cited paragraphs, teaches a curve radius estimator comprising a base value estimation part that estimates the curve radius as a base value of the actual vehicle speed and the actual yaw rate but not of the steering angle; and an estimation part that determines the amount of correction for the base value on the basis of the physical quantity regarding the steering angle, and corrects the base value with the amount of correction.

We respectfully request the rejection be withdrawn.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of the claims are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,

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